

## REMARKS

Claims 1 and 13 are amended. Claims 1-5, 7-17, and 19 remain in the application.

Claims 1-5, 7, 9, 10, and 19 are rejected for anticipation by Nohara. Although not stated in the Final Action, it is presumed that claims 13-16 are included in this rejection as well. With this assumption, the rejection is traversed for the following reasons.

With respect to claims 1-5, 7, 9, 10, and 13-16 the amendments to claims 1 and 13 have eliminated the alternative expression. Now claims 1 and 13, and all of the claims that depend from them, are limited by “encrypting the information section of the frame, and selectively encrypting the overhead section of the frame”. Nohara omits this limitation. If the limitation is considered to be inherent, the examiner must introduce extrinsic evidence establishing that the omitted limitation is necessarily in the data scramble transmission system described by Nohara. Otherwise the rejection must be withdrawn.

Claim 19 is limited by “at least one overhead bit in the frame to disable” the scramble pattern device or the scramble pattern generator 13. This overhead bit is omitted by Nohara. Accordingly, Nohara does not anticipate claim 19. If the limitation is considered to be inherent, the examiner must introduce evidence establishing that the omitted limitation is necessarily in the data scramble transmission system described by Nohara. The reasoning on page 3, lines 5-14 is not extrinsic evidence; it is speculation; and, it reads Nohara in light of the specification in this application. Without extrinsic evidence to support the conclusion, the rejection must be withdrawn.

Claims 8, 11, and 17 are rejected for obviousness over Nohara in view of Kim and White. These claims depend from allowable claims and are themselves allowable.

Accordingly, in view of the amendments and remarks made in this paper, it is submitted that all claims are allowable over the references of record, early notice of which is earnestly solicited.

Respectfully submitted,

  
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Date: July 19, 2004

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